

803 KAR 2:319. Commercial diving operations.

RELATES TO: KRS Chapter 338.051, 338.061, 29 C.F.R. Part 1910.401-1910.440

STATUTORY AUTHORITY: KRS 338.051, 338.061

NECESSITY, FUNCTION, AND CONFORMITY: KRS 338.051(3) requires the Kentucky Occupational Safety and Health Standards Board to promulgate occupational safety and health administrative regulations and authorizes the chairman to reference federal standards without board approval if necessary to meet federal time requirements. KRS 338.061 authorizes the board to establish, modify, or repeal standards and reference federal standards. This administrative regulation establishes commercial diving operations standards that are enforced by the Department of Workplace Standards in general industry.

Section 1. Definitions. (1) "Assistant secretary" means the Secretary of Labor, Commonwealth of Kentucky or Commissioner, Department of Workplace Standards.

(2) "Employee" is defined by KRS 338.015(2).

(3) "Employer" is defined by KRS 338.015(1).

(4) "Standard" means "occupational safety and health standard" as defined by KRS 338.015(3).

Section 2. Except as modified by the definitions in Section 1 and the requirements in Section 3 of this administrative regulation, general industry shall comply with the federal regulations published by the Office of the Federal Register, National Archives and Records Administration, 29 C.F.R. 1910.401-1910.444, and Appendices. (16 Ky.R. 700; eff. 12-15-1989; 20 Ky.R. 2700; eff. 5-11-1994; 23 Ky.R. 1724; eff. 12-13-1996; 31 Ky.R. 1595; 1818; eff. 5-26-2005; 33 Ky.R. 3053; 3378; eff. 6-1-2007; TAm eff. 9-8-2011; 38 Ky.R. 104; 10-7-2011; TAm. eff. 7-12-2012; 38 Ky.R. 2029; eff. 8-31-2012; 46 Ky.R. 2837; 47 Ky.R. 319; eff. 11-4-2020.)